

BOARD OF CERTIFICATION OF OPERATORS OF WASTEWATER TREATMENT FACILITIES

Meeting Minutes: September 5, 2012

Members in Attendance: Paul Desrosiers, Julia Forgue, Fred Kurdziel, Frank McLynch, Bill Patenaude and Jon Schock

**Others in Attendance: Marisa Desautel, Esq. and Traci Pena, RIDEM
Greg Schultz, R.I. Attorney General's Office**

Mr. Patenaude called the September 5, 2012 meeting to order.

The first order of business was the review of the draft August 1st meeting minutes. After review, Mr. Schock motioned to approve the minutes. Mr. Kurdziel seconded the motion. All eligible members voted in favor as such the motion passed.

Per §42-46-4 and §42-46-5(a)(4), Mr. Patenaude motioned to convene into executive session in order to discuss an issue regarding Rhode Island wastewater treatment operators related to possible civil or criminal misconduct. Mr. Schock seconded the motion. The motion passed with the following roll call: Mr. Patenaude, Mr. McLynch, Mr. Kurdziel, Mr. Desrosiers, Ms Forgue, and Mr. Schock all voting in the affirmative.

Note that Mr. McLynch recused himself from the matter of Woonsocket/Veolia and left the meeting before discussion; he returned after the discussion.

After discussion Mr. Patenaude motioned to make a counter settlement offer for a Rhode Island wastewater operator in lieu of suspension the Board would require the implementation of a training program to be provided in conjunction with DEM to be settled through a Consent Agreement which would include a clause of “neither admits nor denies” and “no admission.” It would also state a “truth and honesty clause” and to voluntarily testify at a hearing. Mr. Desrosiers seconded the motion.

Discussion to this matter continued.

Mr. Patenaude motioned to make a counter settlement offer for a Rhode Island wastewater operator in lieu of suspension the Board would require the implementation of a training program to be provided in conjunction with DEM to be settled through a Consent Agreement which would include a clause of “neither admits nor denies” and “no admission.” It would also state a “truth and honesty clause” and to voluntarily testify at a hearing. Mr. Desrosiers seconded the motion. The following roll call was announced: in favor, Messers Patenaude and Desrosiers; nay, Messers Kurdziel and Schock and Ms. Forgue. Mr. McLynch abstained. As such the motion did not pass.

Mr. McLynch returned to the meeting.

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Mr. Patenaude motioned to seal the September 5, 2012 Executive Session meeting minutes. Mr. Schock seconded the motion. The motion passed with the following roll call in the affirmative: Mr. Patenaude, Mr. Desrosiers, Ms. Forgue, Mr. Kurdziel, Mr. McLynch, and Mr. Schock all voting in the affirmative.

Mr. Patenaude motioned to resume the meeting into open session. Mr. Schock seconded the motion. The motion passed with the following roll call in the affirmative: Mr. Patenaude, Mr. Desrosiers, Ms. Forgue, Mr. Kurdziel, Mr. McLynch, and Mr. Schock all voting in the affirmative.

The next item discussed was that of Mr. Patrick McShane. Mr.

McShane has a Grade 3 if and when which expired on August 26, 2012. Mr. McShane was offered a position in direct responsible charge commencing August 20, 2012.

Mr. Patenaude motioned to issue Mr. McShane a Grade 3 OIT license for two years. Mr. Schock seconded the motion. All members present voted in favor, as such the motion passed.

The next item discussed were draft Regulations. Mr. Patenaude presented a draft concept that would allow optional/voluntary levels of certification at renewal that indicates that the licensee attained certain amounts of training. Mr. Patenaude asked Mr. Desrosiers his findings from the Narragansett Water Pollution Control Association. Mr. Desrosiers stated that the Association would like to see training and to see that the wastewater operators are on par to the drinking water operators and a level of professionalism. The association was also concerned with the amount of hours of training. Mr. Patenaude stated the draft was conceptual and open for discussion. Mr. Patenaude also noted that he submitted the proposal to the state's superintendents. He also stated that he would like to form a Special meeting to address the Regulations and be able to move forward to hearing.

Mr. Patenaude then reviewed the summer 2012 exam results.

With no further business, Mr. Patenaude motioned for adjournment.

Seconded by Mr. Schock, the motion passed with all members voting in favor.

The next meeting is scheduled for Wednesday, October 3, 2012 at 9:30 a.m. at the RIDEM office located at 235 Promenade Street, Providence, RI.